

A

REVIEW

OF THE

STATE

OF THE

ENGLISH NATION.

Thursday, February 28. 1706.

I Debated in the last Paper, the Injustice of a Law, to oblige the Debtor or Bankrupt-Trader, to Surrender his Books and Effects to his Creditors, or to the Commissioners, while at the same time, the Creditors are not at all oblig'd to come in and accept of it, and Discharge him.

I Presume, the undeniable force of this Argument, prevail'd upon the Gentlemen, who have this Law under Consideration to receive a Clause, to Encourage all such Bankrupts, or Insolvent Debtors, as are under the Hands of their Creditors, to make an Honest Surrender, of all their Effects and Estate, for the Use of their Creditors, and by obliging the Creditors to accept of such Surrender, and Discharge the Creditor.

I confess, the reason of this part of the

Act seems to me so plain, that it Pleads its own Cause, and carries its own Demonstration along with it ; but because Interest will prompt all Men to Oppose, what they think Crosses their Measures, and such must seek for Plausible Allegations ; I have long listen'd, for what cou'd be said against so just, so Reasonable, and so Christian a *Proviso* as this.

The first thing I hear is Objected, is ; *Rogues will forswear themselves*, and make use of this Law, to Enrich themselves by Depredations in Trade, upon their Honest Neighbours, and Escape out of the Hands of the Law.

This admits of a great many Turns, and Useful Observations in Answer.

1. So, Gentlemen, all your Custom House Oaths, and Oaths in every Branch of

of the Revenue, where things are tax'd *ad Valorem*, leave the Honest Man Expos'd to the full Duty, and the Knave that *will forswear himself* comes off Cheaper.

2. So in your Assessments in the Land Tax, he that will forswear himself Lives ease, and the Honest Man suffers the Severity of the Law.

But should you take off this part of the Law, it would be follow'd by Infinite Frauds and Inconvenience, and you are forc'd to bear with the Advantage Rogues make of it, who venture to Mortgage their Consciences, to save their Pockets, rather than not raise these Taxes Complete, and so be forc'd to come to second Assessments.

An Oath for Confirmation, is an end of the Law, and you can go no farther, than to fetter the very Soul, in the Bonds of the Law; he that will go to the Devil a Horseback, will have the better of us all here, as he that values not his own Life, has every Honest Mans Life at his Mercy; but must we not make Laws, because some will Break thro' all manner of Restraints?

Again, let the Difference in Number be Consider'd, I hope the Rogues that shall take Advantage of this part of the Law, may be but few, and fewer afterward than at first, for Men are not so flesh'd in such Practices, as when Minis, Rules, Gaols, and Ill Company, join'd to De'perate Extremities, may have harden'd them to it, and hereafter 'tis to be hop'd, such a Door of Deliverance prompting Men, to make their Cases known betimes, may remove great part of the Temptation, and by consequence, the Mischief will be but rarely found.

Add to this, all the Methods, Time, Art, and Experience, may help People to in the detecting Perjuries, and some Severe Clause for Condign Punishment, if Convicted; when the Consequences appear, and two or three such Fellows have been Hang'd, or severely Stigmatiz'd for the Crime, they will not be found so very forward to venture, and I think Death it self cannot be too Severe an Article, in Case of such a Flagrant Crime.

But now, let us bring into this Ballance

a little, the many Families of Honest Indigent People, that now Languish, under the General Calamity of the Times; I am told, I speak too much within Compass, if I say, there are at this time, ten Thousand Families of Mourning, Distress'd, Industrious People, that Sigh for Deliverance, from this one depending Clause.

People, that have Liv'd in Good Fashion, born of Good Families, Well Bred, Well Taught, and are every way Qualify'd for Improvement, capable to serve to Enrich, and advantage to their Country, but handcuff'd by the Law, and Disabled from helping themselves, or their declining, and perhaps Starving Families.

People, that are Honest in Principle, Industrious in Temper, Moderate in Life, and Moral in Manners, that have fall'n not by their Intemperance, Excesses, Extravagancies and Vices, but by the general Decays of Trade, Casual or Rational Embarrassments.

People, That having Liv'd in Good Reputation, flush Business, large Credit, and good Figure, have fall'n by the Villany, and Frauds of Capital Trade-Pirates, and who stand a Memento Mori to their Neighbours, and bid them Read that Scripture. *Let him that thinketh he standeth, take heed lest he fall.*

People, That are sincerely willing, to make an Honest Surrender of their Goods and Effects, that would heartily strip themselves of all Reserves, and be Content to Pay, as far as it would go, and before it be all wasted, and Devour'd in Languishing Prisons, and the Lingring Deaths of a Life, in the Rules of the Queen's Bench, and the Fleet.

Some, That have been kept Starving in Gaols, and Rules, and Places of shelter, till the Cruelty of Creditors, have forc'd them to Eat and Drink out the small Remainder, they should have been satisfi'd with, while they had much rather have been at Work to recover themselves, and help satisfy the Cravings of their Creditors.

Some, That while lock'd up by the Discording Creditors, have had vast Advan-

ges of Recovering offer'd, but have layn by, and tho' the Haven has been in view, have Shipwreck'd under the Storm, and have not been able, for want of Liberty, to close with the Friendly Offers of those that would do them Good.

Innumerable are the Variety of Cases, under which Distress'd Families now Perish, whose Numerous Starving Families, Cry to Heaven for Aid, while the *Deaf Creditor* shows that Cruelty, he would himself Tremble to see the Effects of.

No Pen can Describe, no Words can Relate the Misery, among these Sons and Daughters of Sorrow, who, if once at Liberty, might regain by their Industry, their Station again in the World; and who by their Honesty, might revive a Practice, almost lost in England, of Men Paying their Debts, after they have been Discharg'd by Law.

I could bring here many Melancholy Instances, of Families now Starving under

these Distresses, while the Bankrupt that Ruin'd them, Insults the Law, and Lives on their Childrens Bread.

What Agonies of Soul, some Miserable Creatures now suffer, who are Lock'd up in *Noison Dungeons* without Necessaries, and which is worse, their Innocent Children Starving without——From which Persons, no Payment can be expected, nor so much as a Prospect of it——How such Creditors can Answer it to God, themselves, or their Posterity, I know not!

I am told, that one of the Principal Projectors of that Bloody Law, of Perpetual Imprisonment for Debt, for such I must call it, lyes now in *Newgate* upon the same Act; I cannot rejoice in any Mans Calamity, let it be never so Just; but the Retaliating Justice of Providence, is to me one of the most plain Demonstrations of his immediate directing the Affairs of this WORLD.

MISCELLANEA.

WE are told lately by a Certain Gentleman, (that indeed has done his part to Kill her) that a Great Lady, whose Name is MODERATION, is lately Dead; I Confess, she has been in Great Danger, and the Gentlemen, whose Cause this Author Espones, had almost Smother'd her; but at present agreeable to the late Vote in the House, She is, thro' the Blessing of God, in a most Safe and Flourishing Condition; and this Vote is put upon a different Foot, from the Method of some of the late Gentlemen of the Weathercock, who, when one of the Chymnies of a College was on Fire, Assembled together, and formally Voted, the House was in no Danger.

And this Victory I boasted of formerly, which this Gentleman is Displeas'd at, and Bantera the Review, for

saying, the Government and Parliament says the same thing with the Review——

Why, is this the Grievance, Sir? never be concern'd at it, the Government, the Queen, the Parliament, and every Honest Man in the Nation, will say as you say, when you happen TO SPEAK TRUTH, but not before; *Observe that, and rehearse it carefully.*

That the Author of this, has practis'd Moderation with the High Church Clergy, he offers this Gentleman, at any time to Convince him, provided he does not resolve not to be Convinc'd by Reason; and the Paragraph, which I am told he Quotes out of the *Hymn to Peace*, and which he would pervert to his own Purpose, is directly against him, and is a plain Proof, I would not give the World the Credit of Characters, which I could have done.

done among the Clergy, because I would not have their Lives be a general Scandal to the whole Profession——And I refer it to the Judgment of any Impartial Reader, whether it is not plain, when the whole Paragraph is Read together, which this Unfair Arguer avoided. The Lines are as follow.

*Nor let our Charity be Censur'd here,
Because we Crouds of Characters forbear;
The Bead-Roll of whose Crimes would
show.)
Too Black, for our Posterity to know ;'
And are Conceal'd in meer Compassion,
Not to themselves alone, but all the Nation ;
That Foreign Countries may not see,
Our Ecclesiastick Nudity.
And it become a New Proverbial Jest,
To be as Wicked as an English Priest.*

If this be not Moderation, he shall in our Next have another High Church Specimen to particular, as shall force his Brethren to Steal the Review away from the Coffee-Houses, as they did the last, all over the Town, that it should not lye there to be Read.

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Just published,

A Reply to a Pamphlet, Entitled, the *L—d H—* *Shaw's* Vindication of his Speech, &c. By the Author of the Review. Being contrived so as to bind up with the Review.

